

MICHIGAN STATE MEDICAL SOCIETY

120 WEST SAGINAW STREET, EAST LANSING, MICHIGAN 48826-0950, PHONE 337-1351

AREA CODE 517
FAX 517/337-2490

January 31, 2006

MEMO TO: House Health Policy Committee

FROM: Alan Mindlin, MD, President

RE: House Bill 5544

On behalf of the more than 15,000 physicians of the Michigan State Medical Society, I am writing in opposition to House Bill 5544. This legislation seeks to counteract Public Act 211 of 2005 (House Bill 4403) by establishing certification or accreditation requirements for Surgical Assistants and Surgical Technicians.

Public Act 211 of 2005 amended the Public Health Code to allow physicians to delegate surgical tasks to surgical technicians and assistants. Previously, the Public Health Code specifically prohibited any surgical task to be delegated to an unlicensed individual. Therefore, physicians who were utilizing the services of surgical technicians may have been in technical violation of the Public Health Code.

House Bill 5544 seeks to place new requirements on the training of surgical technicians and assistants. This legislation provides a relatively exclusive number of entities with the ability to certify surgical assistants and technicians. Public Act 211 of 2005 purposely avoided any sort of stipulation to limit the training of these individuals by choosing to change the definition of surgical delegation rather than promoting licensure or certification for these individuals.

Surgical technicians are not independent practitioners and rely upon the delegation and supervision from the physician. Furthermore, hospitals and freestanding surgical centers place very strict credentialing requirements on professionals and personnel that deliver surgical care. Because of these requirements, it is unlikely that House Bill 5544 would provide any additional assurance to the public. Public Act 211 of 2005 was only recently enacted, therefore it is unclear if any corrective legislation is necessary and, at the very least, such action would be premature.